

EXHIBIT 1

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X

5 SANDRA GUZMAN,

6 Plaintiff,

NO. 09 CIV. 9323 (BSJ) (RLE)

7 VS.

8 NEWS CORPORATION, NYP
9 HOLDINGS, INC., d/b/a THE
10 NEW YORK POST, and COL ALLAN,
11 in his official and individual
12 Capacities,

13 Defendants.

14 -----X

15 **REVISED**

16 VIDEOTAPED DEPOSITION

17 OF

18 SANDRA GUZMAN

19 New York, New York

20 Thursday, October 13, 2011

21 Reported by:

22 AYLETTE GONZALEZ, CLR

23 JOB NO. 42950
24
25

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<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 time.</p> <p>3 If Ms. Guzman needs water, wants</p> <p>4 to take a break, there was no question</p> <p>5 pending. You were talking to your</p> <p>6 colleagues.</p> <p>7 MR. LERNER: If the issue,</p> <p>8 Mr. Thompson, is not did you interrupt</p> <p>9 the flow of the deposition. The</p> <p>10 question is did you have an improper</p> <p>11 communication with Ms. Guzman about</p> <p>12 the subject matter of her testimony</p> <p>13 during the testimony and the record is</p> <p>14 clear that you did.</p> <p>15 MR. THOMPSON: It is not clear.</p> <p>16 BY MR. LERNER:</p> <p>17 Q. The clarification that you just</p> <p>18 made, Ms. Guzman, when you came back on the</p> <p>19 record and said you wanted to make a</p> <p>20 clarification, was that something that you</p> <p>21 discussed during the break with Counsel?</p> <p>22 MR. THOMPSON: Objection. Don't</p> <p>23 disclose what you talked to Counsel</p> <p>24 about during the break.</p> <p>25 Q. Was your clarification a matter of</p>	<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 your discussion with Counsel?</p> <p>3 A. I've been instructed by my attorney</p> <p>4 not to answer your question.</p> <p>5 Q. Ms. Guzman, could you look at</p> <p>6 paragraph 41 of your Amended Complaint,</p> <p>7 please.</p> <p>8 A. This is the Amended Complaint?</p> <p>9 MR. THOMPSON: Yes.</p> <p>10 A. What page?</p> <p>11 Q. Page 10.</p> <p>12 A. Yes.</p> <p>13 Q. Paragraph 41, you stated,</p> <p>14 "Mr. Goodstein also routinely stared at the</p> <p>15 breasts and butt of other female employees in</p> <p>16 Ms. Guzman's presence and often licked his</p> <p>17 lips while doing so."</p> <p>18 Do you see that?</p> <p>19 A. I do, yes.</p> <p>20 Q. Nowhere in your Complaint do you</p> <p>21 state that Mr. Goodstein looked at your body</p> <p>22 in a lascivious way, correct?</p> <p>23 A. He would repeatedly look at me and</p> <p>24 tell me that I look sexy and beautiful.</p> <p>25 Q. No, but --</p>
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<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 A. In paragraph 40.</p> <p>3 Q. You're not reading from your</p> <p>4 Complaint though, correct?</p> <p>5 A. I'm telling you that that's what he</p> <p>6 did and to be able to say --</p> <p>7 Q. That's not what your complaint</p> <p>8 says --</p> <p>9 MR. THOMPSON: Objection.</p> <p>10 Q. -- right?</p> <p>11 A. Okay.</p> <p>12 Q. Your Complaint says that, "Les</p> <p>13 Goodstein, senior vice-president, repeatedly</p> <p>14 told Ms. Guzman that she looked sexy and</p> <p>15 beautiful."</p> <p>16 You did not state, in your</p> <p>17 Complaint that he looked at you and told you</p> <p>18 that you looked sexy and beautiful, right?</p> <p>19 A. He looked at me and told me that I</p> <p>20 looked sexy and beautiful.</p> <p>21 Q. To be clear, you're not reading</p> <p>22 from the Complaint now, right?</p> <p>23 A. I'm just telling you if we're</p> <p>24 looking at the Complaint in paragraph 40, it's</p> <p>25 very clear that he looked at me and he said --</p>	<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 looking at me, he said I looked sexy and</p> <p>3 beautiful.</p> <p>4 Q. Well, you came into the deposition</p> <p>5 room a moment ago with a clarification where</p> <p>6 you added something and what you added was</p> <p>7 that he would often stare at my breasts and</p> <p>8 body parts and comment on how sexy I looked.</p> <p>9 A. Right.</p> <p>10 Q. Staring at your breasts and body</p> <p>11 parts is not an allegation you made in your</p> <p>12 Complaint, right?</p> <p>13 A. When he looked at me and said I was</p> <p>14 sexy and beautiful, he was staring at my body</p> <p>15 parts.</p> <p>16 Q. But you didn't say in your</p> <p>17 Complaint that he stared at you right?</p> <p>18 A. I didn't specifically state it.</p> <p>19 Q. And when you were working with</p> <p>20 Mr. Goodstein on Tempo, Joe Robinowitz was</p> <p>21 your supervisor; is that accurate?</p> <p>22 A. I believe so.</p> <p>23 Q. What was Mr. Goodstein's role on</p> <p>24 Tempo when you were working together?</p> <p>25 A. He was supervising the sales</p>

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<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 portion of the section.</p> <p>3 Q. Did he supervise editorial?</p> <p>4 A. No.</p> <p>5 Q. You were responsible for editorial?</p> <p>6 A. Yes.</p> <p>7 Q. And your supervisor from editorial</p> <p>8 standpoint was always Joe Robinowitz at that</p> <p>9 time, right?</p> <p>10 A. What year was that?</p> <p>11 Q. In '06, '07.</p> <p>12 A. I believe it was Joe Robinowitz.</p> <p>13 Q. Were you ever looking to leave The</p> <p>14 New York Post while you were an employee</p> <p>15 there?</p> <p>16 A. I may have.</p> <p>17 Q. Well, I'm not asking you to guess.</p> <p>18 I'm asking you what your -- what the facts</p> <p>19 are. Did you ever look for a job to leave The</p> <p>20 New York Post while you were employed there?</p> <p>21 A. I don't remember that, that I</p> <p>22 actively looked for a job.</p> <p>23 Q. And when you went to the dinner</p> <p>24 that honored Les Goodstein, you were -- was he</p> <p>25 still working on Tempo at the time?</p>	<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 A. I don't remember.</p> <p>3 Q. Were you required to go to that</p> <p>4 dinner?</p> <p>5 A. Yeah, I was. It was a News Corp.</p> <p>6 event. And they gave away tickets as it was a</p> <p>7 Hispanic event and the editor of Hispanic</p> <p>8 section, one of the many sections that I</p> <p>9 edited, they asked me to go.</p> <p>10 Q. An editor of what?</p> <p>11 A. One of the Hispanic sections. It</p> <p>12 was a Hispanic organization that was having a</p> <p>13 celebration.</p> <p>14 Q. So, it wasn't a News Corp. event,</p> <p>15 right?</p> <p>16 A. He gave money as I understand it as</p> <p>17 a representative of News Corp. corporation,</p> <p>18 not as New York Post.</p> <p>19 Q. The National Hispanic Federation is</p> <p>20 not a News Corp. organization, is it?</p> <p>21 A. It's not. It's a Hispanic</p> <p>22 organization that News Corp. gave money to</p> <p>23 through Les Goodstein.</p> <p>24 Q. Do you recall that event being in</p> <p>25 May of 2009?</p>
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<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 A. Maybe, I'm not really sure.</p> <p>3 Q. Guzman Exhibit 14 is NYP '792.</p> <p>4 (Defendant's Guzman Exhibit 14,</p> <p>5 document bearing Bates numbers NYP</p> <p>6 '792, marked for identification, as of</p> <p>7 this date.)</p> <p>8 Q. Ms. Guzman, I'm going to tell you</p> <p>9 that this is a document from your calendar</p> <p>10 which you don't have to accept. That's just</p> <p>11 my representation.</p> <p>12 But does this refresh your</p> <p>13 recollection as to when that event was?</p> <p>14 A. Yes.</p> <p>15 Q. So, was it May of 2009?</p> <p>16 A. Yes.</p> <p>17 Q. And was Les Goodstein finished</p> <p>18 working on Tempo by May of 2009?</p> <p>19 A. I believe so.</p> <p>20 Q. Could you have elected not to</p> <p>21 attend that event?</p> <p>22 A. Yes.</p> <p>23 Q. Were you -- when you went, were you</p> <p>24 proud that Les Goodstein, a News Corp.</p> <p>25 affiliated person, was being honored by the</p>	<p>1 SANDRA GUZMAN-10/13/11</p> <p>2 National Hispanic Federation?</p> <p>3 A. Proud?</p> <p>4 Q. Yes.</p> <p>5 A. I don't know if I would say proud.</p> <p>6 Q. How did you feel about it?</p> <p>7 A. I was happy that a great Hispanic</p> <p>8 organization that helps the impoverished and</p> <p>9 the needy was receiving monies to do their</p> <p>10 work.</p> <p>11 Q. How did you feel about Les</p> <p>12 Goodstein being honored that night?</p> <p>13 A. Kind of surprised.</p> <p>14 Q. But did you think that he didn't</p> <p>15 warrant being honored by the Hispanic</p> <p>16 Federation?</p> <p>17 A. No, if I --</p> <p>18 Q. If you'd known he was responsible</p> <p>19 for saving Tempo from closure in 2006, would</p> <p>20 that have changed your mind?</p> <p>21 MR. THOMPSON: Objection.</p> <p>22 A. This man sexually harassed me every</p> <p>23 opportunity he got and he did it on repeated</p> <p>24 occasions and helping save Tempo didn't give</p> <p>25 him the right to do that to me.</p>

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Guzman
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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SANDRA GUZMAN,

Plaintiff,

vs. 90 Civ. 9323 (BSJ) (RLE)

NEWS CORPORATION, NYP
HOLDINGS, INC., d/b/a
THE NEW YORK POST, and
COL ALLAN, in his official
and individual capacities,

Defendants.
-----x

SANDRA GUZMAN
New York, New York
Monday, February 13, 2012
CONTAINS CONFIDENTIAL PORTIONS

Reported by: Steven Neil Cohen, RPR
Job No. 46187

CONTAINS CONFIDENTIAL PORTIONS

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<p>1 Guzman</p> <p>2 MR. THOMPSON: Objection.</p> <p>3 THE WITNESS: Can I answer?</p> <p>4 Sol and I started a -- as part of</p> <p>5 my attempt to make money Sol and I</p> <p>6 started a media consulting partnership.</p> <p>7 She was my business partner.</p> <p>8 BY MR. LERNER:</p> <p>9 Q. And you described yourself here</p> <p>10 as, among other things, sexy and beautiful?</p> <p>11 A. Yes.</p> <p>12 Q. Correct. You also describe</p> <p>13 yourself as bitchy?</p> <p>14 A. Yes.</p> <p>15 Q. You describe yourself as strong</p> <p>16 and funny?</p> <p>17 A. Yes.</p> <p>18 Q. Do you still agree that all these</p> <p>19 adjectives to describe you are accurate?</p> <p>20 A. They are different parts of me.</p> <p>21 Q. They all are parts of you?</p> <p>22 A. At times.</p> <p>23 Q. So sexy is part of you?</p> <p>24 A. Sure.</p> <p>25 Q. And beautiful is part of you?</p>	<p>1 Guzman</p> <p>2 A. Yes.</p> <p>3 Q. As is -- as are bitchy and strong?</p> <p>4 A. Yes.</p> <p>5 Q. Ms. Guzman, when you started</p> <p>6 working at The Post in 2003 Michael Riedel</p> <p>7 was already working at The Post, right?</p> <p>8 A. I believe so.</p> <p>9 Q. He was already The Post's Broadway</p> <p>10 columnist and critic, right?</p> <p>11 A. I believe so, yes.</p> <p>12 Q. And by 2008 you and he had both</p> <p>13 been working at the paper together for about</p> <p>14 five years, right?</p> <p>15 A. Yes.</p> <p>16 Q. Had you gotten to know him during</p> <p>17 that time period?</p> <p>18 A. Know him?</p> <p>19 Q. Yes.</p> <p>20 A. What do you mean know him?</p> <p>21 Q. Were you friendly with him in the</p> <p>22 office the way two people that might work in</p> <p>23 an office together would be friendly?</p> <p>24 A. Yes.</p> <p>25 Q. Did you talk to him from time to</p>
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<p>1 Guzman</p> <p>2 time about matters of mutual interest?</p> <p>3 A. Yes.</p> <p>4 Q. Did you consider him a friend in</p> <p>5 the office?</p> <p>6 A. A co-worker.</p> <p>7 Q. Did you consider him a friend?</p> <p>8 A. A co-worker.</p> <p>9 Q. But a friendly co-worker?</p> <p>10 A. Yes.</p> <p>11 Q. Did you ever have any dispute or</p> <p>12 problem with him until the material that you</p> <p>13 have pled in this lawsuit?</p> <p>14 A. Did I have any dispute with him?</p> <p>15 Q. Yes.</p> <p>16 A. No.</p> <p>17 Q. Did he ever -- until the matter</p> <p>18 that concerned West Side Story came up did</p> <p>19 he ever do anything to you that you regarded</p> <p>20 as offensive?</p> <p>21 A. Besides every time he saw me</p> <p>22 singing West Side Story with a Spanish</p> <p>23 accent.</p> <p>24 Q. You need to listen to the</p> <p>25 question.</p>	<p>1 Guzman</p> <p>2 The question was, until the matter</p> <p>3 that concerned West Side Story came up did</p> <p>4 he ever do anything to you that you regarded</p> <p>5 as offensive?</p> <p>6 MR. THOMPSON: She was just</p> <p>7 clarifying your question.</p> <p>8 THE WITNESS: I was. I was</p> <p>9 clarifying the West Side incident.</p> <p>10 BY MR. LERNER:</p> <p>11 Q. Apart from the West Side Story</p> <p>12 incident was there anything that Mr. Riedel</p> <p>13 ever did that you considered offensive?</p> <p>14 A. No.</p> <p>15 Q. You sent him an e-mail which was</p> <p>16 marked in the last deposition Guzman 15 in</p> <p>17 which you called -- you asked him for some</p> <p>18 information about who is casting West Side</p> <p>19 Story, right?</p> <p>20 A. Yes.</p> <p>21 Q. You called him M in the e-mail,</p> <p>22 right?</p> <p>23 A. Yes.</p> <p>24 Q. And you signed it S, right?</p> <p>25 A. Yes.</p>